

Message Text

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SUBJECT: REPEAL OF ARTICLE TWO OF SPANISH PRESS LAW

1. IN A ROYAL DECREE OF APRIL 1 THE SPANISH CABINET REPEALED
ARTICLE TWO OF THE SPANISH PRESS LAW OF MARCH 18,1966

2. THIS ARTICLE SATED "EXTENSION OF RIGHTS--FREEDOM OF
EXPRESSION AND THE RIGHT OF DISSEMINATION OF INFORMATION,
RECONGNIZED IN THE FIRMST ARTICLE, WILL HAVE NO MORE LIMITATIONS
THAN THOSE IMPOSED BY THE LAWS. THE LIMITATIONS ARE:
RESPECT FOR TRUTH AND MORALITY: RESPECT FOR THE LAW OF THE
PRINCIPLES OF THE NATIONAL MOVEMENR AND THE ADDITIONALL
FUNDAMENTAL LAWS, THE REQUIREMENTS OF NATIONAL DEFENSE OF
THE SECURITY OF THE STATE AND OF THE MAINTENCE OF INTERNAL
PUBLIC ORDER AND INTERNATIONAL PEACE. THE NECESSARY RESPECT
TO INSTITUTIONS AND PERSONS IN CRITICISMS OF POLITICAL AND
ADMINISTRATIVE ACTIVITY THE INDEPENDENCE OF THE COURTS AND
THE SAFEGUARDING OF PRIVACY AND OF PERSONAL AND FAMILY HONOR.

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3. IN REPEALING THIS SECTION THE GOVERNMENT PROMULGATED AN
"ANTI LIBEL" LAW WHICH PERMITS CONFISCATION OF PUBLICATIONS
WHICH DAMAGE THE "INSTITUTION OF THE MONARCHY THE UNITY OF
SPAIN AND THE ARMED FORCES" OR PUBLISH OBSCENE OR
PORNOGRAPHIC MATERIAL.

4. THE SPANISH PRESS HAS GREETED THIS ROYAL DECREE WITH SOME SKEPTICISM. THE MODERATE LEFT MORNING DAILY "EL PAIS" IN A BITING ANALYSIS, SAID "THE GOVERNMENT MUST THINK WE ARE CHILDREN... GIVING US A PIECE OF CANDY WITH ONE HAND AND ADMINISTERING A DOSE OF CASTOR OIL WITH THE OTHER".

5. IF'S AFTERNOON COUNTEPEART THE LEFT SENSATIONAL "DIARIO 16 DESCRIBED THE DECREE AS AN "ATTEMPTED TO TRICK THE PUBLIC IN THE PUREST FRANCO STYLE" WITH A DECREE FULL OF DEMOCRATIC PHRASEOLOGY OVERLAYING DICATORIAL CONTROL.

6. COMMENT: ARTICLE TWO OF THE PRESS LAW, REGARDING AS A LIBERAL MEASURE WHEN FIRST PROMULGATED IN 1966 WAS EMPLOYED BY THEFRANCO REGIME AS THE BASIS FOR SANCTIONS, SOMETIMES EMPLOYED ALWAYS THREATED, AIMED AT ENSURING THE PRESS COMPLAISANCE. AS RECENTLY AS JUNE 1977 THE MOST INFULENTIAL WEEKLY IN SPAIN, "CAMBIO 16" WAS THREATENED WITH A FOUR MONTH SUSPESION OF PUBLICATION FOR AN IRREVERENT CARTOON PUBLISHED ABOUT THE KING(THE THREAT WAS NEVER CARRIED OUT). BUT SINCE THE ADVENT OF THE SUREEZ GOVT, THE LAW HAS NOT BEEN ENFORCED AND THE SPANISH PRESS HAS BEEN LEFT VIRTUALLY FREE TO SPEAK ITS MIND. THE "ANTI LIBEL " LAW WITH ITS OBVIOUS LIMITATIONS, CLEARLY ISA VAST IMPROVEMENT OVER THE REPELEAED ARTICLE 2. BUT FROM THE POINT OF VIEW OF TH A PRESS MDE JUSTIFIABLY SUSPICIONS OF GOVERNMENTAL INTENTIONS IN THE PAST, AND IN SPITE OF THE SURAREZ GOVERNMENT'S GOO RECEOD IN THE ARREA OF PRES LIBERTIES, THE RETENTION OF RATHER OPEN ENDED RESTIC LIMITED OFFICIAL USE

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TIONS CONCENING WHAT CAN BE PRINTEDABOUT THE MONARCHY THE MILITARY AND "NATIONAL UKITY", IS DISTURBING THE SUAREZ GOVERNMENT MAY NOT INTEND TO USE THESE RESERVED POWERS BUT THEY CONTINUE TO EXIST.EATON

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